

Conference Engrossed

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 310

SENATE BILL 1199

AN ACT

AMENDING TITLE 15, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-445; AMENDING TITLE 15, CHAPTER 8, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-825.02; AMENDING SECTION 15-991.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 15-445, to read:

4 15-445. Residents of unorganized territory; school district
5 elections; establishment of school district; state
6 authority; boundaries; organization

7 A. THE COUNTY SCHOOL SUPERINTENDENT, ON RECEIVING NOTIFICATION FROM
8 THE STATE SCHOOL SUPERINTENDENT PURSUANT TO SECTION 15-825.02, SUBSECTION B,
9 SHALL DO ALL OF THE FOLLOWING BEFORE CALLING AN ELECTION:

10 1. ESTABLISH THE BOUNDARIES OF THE PROPOSED UNIFIED SCHOOL DISTRICT,
11 TAKING INTO CONSIDERATION COMMUNITIES OF INTEREST AND EXCLUDING INDIAN
12 RESERVATIONS AND OTHER FEDERAL LANDS WHERE REASONABLE TO DO SO.

13 2. IDENTIFY ADJACENT SCHOOL DISTRICTS THAT ACCEPT AT LEAST TWENTY-FIVE
14 PER CENT OF THEIR OPEN ENROLLMENT OR CERTIFICATE OF EDUCATIONAL CONVENIENCE
15 STUDENTS FROM THE UNORGANIZED TERRITORY AND THAT ARE WILLING TO ACCEPT THE
16 UNORGANIZED TERRITORY INTO THE EXISTING SCHOOL DISTRICT.

17 3. PREPARE A BALLOT QUESTION THAT INCLUDES THE PROPOSED BOUNDARIES AND
18 IDENTIFIES EXISTING ADJACENT SCHOOL DISTRICTS THAT ARE WILLING TO ACCEPT THE
19 UNORGANIZED TERRITORY INTO THE EXISTING SCHOOL DISTRICT. THE BALLOT SHALL
20 LIST THE FINANCIAL IMPACT FOR A HOMEOWNER BASED ON THE PROPERTY TAXES ON A
21 ONE HUNDRED THOUSAND DOLLAR HOME ON EACH OF THE FOLLOWING OPTIONS AND SHALL
22 REQUIRE THE VOTERS WITHIN THE BOUNDARIES PROPOSED BY THE COUNTY SCHOOL
23 SUPERINTENDENT TO SELECT ONE OF THE FOLLOWING OPTIONS:

24 (a) THE ESTABLISHMENT OF A NEW UNIFIED SCHOOL DISTRICT WITHIN THE
25 BOUNDARIES PROPOSED.

26 (b) JOINING AN EXISTING ADJACENT SCHOOL DISTRICT.

27 B. THE COUNTY SCHOOL SUPERINTENDENT SHALL SCHEDULE THE ELECTION ON THE
28 NEXT AVAILABLE GENERAL ELECTION DATE ALLOWED BY LAW.

29 C. AFTER A CANVASS OF THE VOTE AND A DETERMINATION BY THE COUNTY
30 SCHOOL SUPERINTENDENT THAT A MAJORITY OF THE VOTERS APPROVES THE
31 ESTABLISHMENT OF A NEW UNIFIED SCHOOL DISTRICT, THE COUNTY SCHOOL
32 SUPERINTENDENT SHALL NOTIFY THE STATE BOARD OF EDUCATION THAT THE SCHOOL
33 DISTRICT IS ESTABLISHED AND THAT THE NEW UNIFIED SCHOOL DISTRICT WILL BECOME
34 OPERATIONAL AT THE BEGINNING OF THE NEXT SCHOOL YEAR. THE COUNTY SCHOOL
35 SUPERINTENDENT SHALL APPOINT THE INITIAL GOVERNING BOARD OF THE NEW UNIFIED
36 SCHOOL DISTRICT.

37 D. IF THE NEWLY ESTABLISHED UNIFIED SCHOOL DISTRICT IS NOT ABLE TO
38 PROVIDE A COMPLETE ACADEMIC PROGRAM TO THE STUDENTS WITHIN THE SCHOOL
39 DISTRICT, THE NEWLY ESTABLISHED UNIFIED SCHOOL DISTRICT MAY TRANSPORT THE
40 STUDENTS TO AN ADJACENT SCHOOL DISTRICT PURSUANT TO SECTION 15-824.

41 E. ON A CANVASS OF THE VOTE AND A DETERMINATION BY THE COUNTY SCHOOL
42 SUPERINTENDENT THAT A MAJORITY OF THE VOTERS APPROVES JOINING AN EXISTING
43 ADJACENT SCHOOL DISTRICT, THE COUNTY SCHOOL SUPERINTENDENT SHALL NOTIFY THE
44 EXISTING SCHOOL DISTRICT OF THE FOLLOWING:

1 FROM THE SCHOOL FACILITIES BOARD UNTIL THE DISTRICT'S STUDENT COUNT IN GRADES
2 NINE THROUGH TWELVE EXCEEDS FIVE HUNDRED NINETY-NINE.

3 3. UNTIL THE NEWLY FORMED UNIFIED SCHOOL DISTRICT'S STUDENT COUNT IN
4 KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH EIGHT REACHES SIX HUNDRED, EACH
5 PUPIL IN KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH EIGHT WHO RESIDES IN
6 THE NEWLY FORMED UNIFIED SCHOOL DISTRICT SHALL BE ENROLLED IN A SCHOOL
7 DISTRICT THAT PROVIDES INSTRUCTION IN THAT PUPIL'S GRADE AND THAT HAS
8 SUFFICIENT CAPACITY TO ENROLL NONRESIDENT PUPILS. THE NEWLY FORMED UNIFIED
9 SCHOOL DISTRICT SHALL BE RESPONSIBLE FOR TRANSPORTATION COSTS INCURRED
10 PURSUANT TO THIS PARAGRAPH.

11 4. UNTIL THE NEWLY FORMED UNIFIED SCHOOL DISTRICT'S STUDENT COUNT IN
12 GRADES NINE THROUGH TWELVE REACHES SIX HUNDRED, EACH PUPIL IN GRADES NINE
13 THROUGH TWELVE WHO RESIDES IN THE NEWLY FORMED UNIFIED SCHOOL DISTRICT SHALL
14 BE ENROLLED IN A SCHOOL DISTRICT THAT PROVIDES INSTRUCTION IN THAT PUPIL'S
15 GRADE AND THAT HAS SUFFICIENT CAPACITY TO ENROLL NONRESIDENT PUPILS. THE
16 NEWLY FORMED UNIFIED SCHOOL DISTRICT SHALL BE RESPONSIBLE FOR TRANSPORTATION
17 COSTS INCURRED PURSUANT TO THIS PARAGRAPH.

18 Sec. 3. Section 15-991.01, Arizona Revised Statutes, is amended to
19 read:

20 15-991.01. Tax levy for property not located in a school
21 district

22 A. The board of supervisors of each county, at the time of levying
23 other taxes, shall annually levy a tax on property not located in a school
24 district. The tax levy shall be at a rate equal to one-half the qualifying
25 tax rate prescribed in section 15-971, subsection B, paragraph 2, per one
26 hundred dollars of assessed valuation used for primary property taxes. The
27 tax shall be levied and collected in the same manner as general county taxes
28 on the property. The tax levy provided for in this section is not subject to
29 title 42, chapter 17, articles 2 and 3. The monies received pursuant to this
30 section shall be transmitted by the county treasurer to the state treasurer
31 to be deposited in the state general fund to aid in school financial
32 assistance.

33 B. The reduction in taxes prescribed in section 15-972 applies to
34 taxes levied pursuant to this section on residential property, except that
35 the state shall not make the payments prescribed in section 15-972,
36 subsection H for this reduction in taxes.

37 C. THIS SECTION DOES NOT APPLY TO TERRITORY THAT WAS PREVIOUSLY
38 UNORGANIZED BUT THAT IS CURRENTLY PART OF A SCHOOL DISTRICT THAT IS
39 ESTABLISHED OR JOINED PURSUANT TO SECTION 15-445.


APPROVED BY THE GOVERNOR MAY 20, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2005.

Passed the House April 12, 2005,

by the following vote: 56 Ayes,

2 Nays, 2 Not Voting



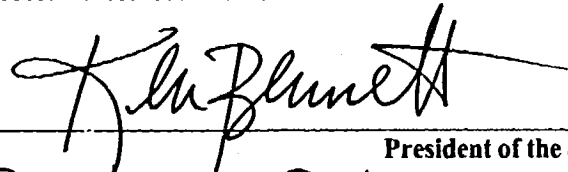
Speaker of the House
Pro Tempore


Chief Clerk of the House

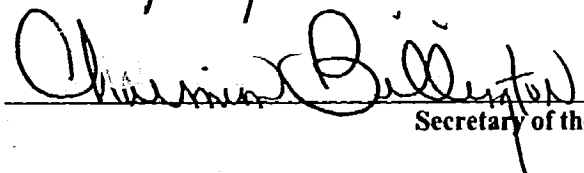
Passed the Senate March 15, 2005,

by the following vote: 29 Ayes,

1 Nays, 0 Not Voting



President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

S.B. 1199

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

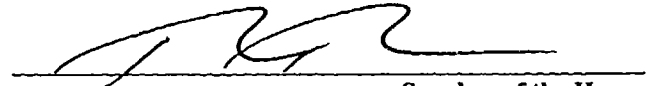
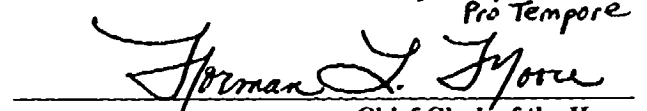
at _____ o'clock _____ M.

Secretary of State

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 12, 2005,
by the following vote: 47 Ayes,



2 Nays, 11 Not Voting


Speaker of the House
Pro Tempore

Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 12, 2005,
by the following vote: 23 Ayes,

3 Nays, 4 Not Voting


President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 13th day of May, 2005

at 8:38 o'clock A. M.


Secretary to the Governor

Approved this 20 day of

May, 2005,

at 9:20 o'clock A. M.


Governor of Arizona

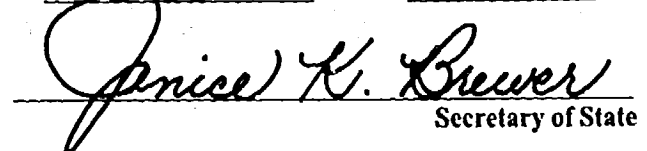
S.B. 1199

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 20 day of May, 2005

at 3:03 o'clock P. M.


Secretary of State